

Electronically Recorded

Tarrant County Texas

Official Public Records

11/4/2010 3:54 PM

D210274957

PGS 1 \$16.00
~~NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS' LICENSE NUMBER~~

AMENDMENT OF LEGAL DESCRIPTION AND RATIFICATION OF OIL AND GAS LEASE

STATE OF TEXAS §
COUNTY OF TARRANT §

WHEREAS, David R. Ondieki and Tonyia L. Ondieki, husband and wife, as Lessors, heretofore executed an Oil and Gas Lease dated December 10, 2007 to **Hollis R. Sullivan, Inc.**, as Lessee, recorded at Clerk Document No. D208025476, Official Public Records of Tarrant County, Texas;

WHEREAS, XTO Energy, Inc., ("Lessee") a Delaware corporation, whose address is 810 Houston Street, Fort Worth, Texas 76102, is the successor in interest to **Hollis R. Sullivan, Inc.**, as such transfer of ownership is reflected of record in Tarrant County, Texas.

WHEREAS, the description of the Lease was incomplete and in error;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessors and Lessee do hereby amend the Lease in respect to the description of the lands included therein, and ratify and adopt the same as so amended. The amended description shall now read as follows:

Lot 5, Block 5, Cherry Creek Estates, Phase I, an addition to the City of Arlington, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 5355, of the Plat Records of Tarrant County, Texas, and being further described in that certain Warranty Deed with Vendor's Lien dated September 18, 2000 from First Texas Homes, Inc., to David R. Ondieki and Tonia L. Ondieki, husband and wife, said deed recorded at Clerk Document No. D200211633, Official Public Records, Tarrant County, Texas.

Lessor hereby ratifies and confirms said Lease and agrees and declares that said Lease, and all of its terms and provisions, as amended hereby, is binding on them, their successors and assigns, and is a valid and subsisting oil and gas lease; and Lessor does hereby lease, demise and let the lands described herein above, to Lessee, it successor and assigns, in accordance with all of the terms of said Lease, as amended hereby and ratify and adopt the same as so amended. Except as otherwise amended the Lease is and shall remain in full force and effect as written in accordance with its terms and conditions.

IN WITNESS WHEREOF, this instrument has been executed on the respective date of the acknowledgment below, but shall be effective, however, as of December 10, 2007, the date of the Lease.

LESSORS:

David R. Ondieki
David R. Ondieki

Tonyia L. Ondieki
Tonyia L. Ondieki

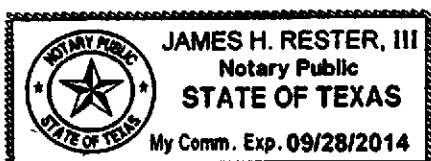
Address: 8209 Shoshoni Dr.
Arlington, Texas 76002

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF TARRANT

Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt. # 1136
Fort Worth, TX 76137

This instrument was acknowledged before me on the 29th day of October, 2010, by **David R. Ondieki and Tonyia L. Ondieki, husband and wife.**



James H. Rester III
Notary Public, State of Texas